

1                               IN THE UNITED STATES DISTRICT COURT  
2                               WESTERN DISTRICT OF TEXAS  
3                               EL PASO DIVISION  
4   UNITED STATES OF AMERICA                               No. EP:05-CR-856-KC  
5   v.                               El Paso, Texas  
6   IGNACIO RAMOS, ET AL.                               November 15, 2005

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8                               PRETRIAL MATTERS  
9                               BEFORE THE HONORABLE KATHLEEN CARDONE  
10                              UNITED STATES DISTRICT JUDGE  
11                              VOLUME II OF XVIII

12   APPEARANCES:

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15  
16   For the Defendant Ramos:

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21   For the Defendant Compean:

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24               Proceedings recorded by stenotype.   Transcript produced by  
25   computer-aided transcription.

David A. Perez, CSR, RPR

1 THE CLERK: EP:05-CR-856, USA versus Ignacio Ramos.

2 MR. GONZALEZ: Good afternoon, Your Honor, Jose Luis  
3 Gonzalez for the Government. We're ready.

4 MS. STILLINGER: Mary Stillinger and Steve Peters for  
5 Mr. Ramos.

6 THE COURT: This is your motion.

7 MS. STILLINGER: I was not planning on putting on any  
8 evidence at this hearing. My understanding -- although the  
9 Government is not exactly joining, but they are not opposing  
10 the motion, either; and that the pretrial service,  
11 Mr. Estrella, does not oppose our motion.

12 Essentially, Your Honor, the basis of it is that  
13 because the jail mag. sets the least restrictive conditions  
14 that are necessary to adequately assure a person's appearance  
15 in court and safety of the community, and also keeping in mind  
16 this was not a condition imposed by Judge Mesa in his judgment,  
17 but rather made by agreement to avoid a detention hearing.

18 That agreement basically is not a consideration  
19 anymore, because the parties all agree to this motion. But I  
20 wanted to assure the Court -- my understanding of the reason  
21 the Government and the pretrial service officer are agreeing to  
22 the motion, or not opposing the motion, if that is a different  
23 way of phrasing it, is that Mr. Ramos has demonstrated that he  
24 is not a flight risk and a danger to the community in any way.

25 I really think a house arrest -- of course, the

1    electronic monitoring has been released, but I think house  
2    arrest is really more appropriate for a kind of person out  
3    going wild, and maybe somebody had a drinking problem or drug  
4    problem or gang affiliation problem, somebody who needed to be  
5    kept tied down in their evening hours.

6               Mr. Ramos never had those problems. I know the Court  
7    is aware he was a law enforcement officer. None of those were  
8    issues for him. I don't know if the Court has any questions of  
9    us or Mr. Ramos himself.

10              THE COURT: This is sort of a follow-up. Didn't we  
11    have a hearing in the first part of October?

12              MS. STILLINGER: Yes.

13              THE COURT: This is a sort of follow-up to that,  
14    because at that time he was going for a wedding.

15              MS. STILLINGER: A wedding. And you also took off the  
16    electronic monitoring at that point, and we discussed taking  
17    away the entire condition of home confinement. But you said  
18    you wanted to get a little input and have a chance to look at  
19    the file first.

20              THE COURT: Right, because I had -- I was not even  
21    aware that these had been agreed conditions, that they had not  
22    been done with ^^^TER HAG.

23              So what's the Government's position?

24              MR. GONZALEZ: Your Honor, the Government does not  
25    oppose Ms. Stillinger's request.

1           THE COURT: All right. And anything from pretrial? I  
2 did receive your report, Mr. Estrella. Anything you want to  
3 add or subtract?

4           MR. ESTRELLA: Good afternoon, Your Honor. Carlos  
5 Estrella on behalf of pretrial services.

6           My report is relatively vague. Mr. Ramos has been in  
7 full compliance. And, to this date, even though he's not on  
8 the monitor, he continues to call me every day any time his  
9 children have a baseball game or if he's going to do something  
10 additional, to -- you know, as of the date that we last had our  
11 court date. He's maintained that consistency, as far as  
12 keeping in contact with me and letting me know exactly where he  
13 will be and what number to reach him at, et cetera, Your Honor.

14          THE COURT: All right. So you have no concerns  
15 about -- I think we are talking, Ms. Stillinger, about  
16 paragraphs 12 and 13. Is that correct? Those are the special  
17 condition paragraphs?

18          MS. STILLINGER: Yes, Your Honor.

19          THE COURT: And anything further, then, from anyone?

20          MS. STILLINGER: No, Your Honor.

21          MR. GONZALEZ: No, Your Honor.

22          THE COURT: Then the Court is going to grant the  
23 motion to amend conditions of release and strike the paragraphs  
24 12 and 13 as special conditions of that release. They will no  
25 longer be in effect.

1           However, Mr. Ramos, the entire -- all of the rest of  
2   the pretrial conditions will remain in full force and effect,  
3   and you do need to continue to report to your officer.

4           Anything further?

5           MR. GONZALEZ: No, Your Honor.

6           MS. STILLINGER: No, Your Honor.

7           THE COURT: Being there are no matters before the  
8   Court, the Court stands in recess.

9           You need to speak with Ms. Stillinger.

10          (Transcript continues in Volume III.)

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19           I certify that the foregoing is a correct transcript  
20   from the record of proceedings in the above-entitled matter. I  
21   further certify that the transcript fees and format comply with  
22   those prescribed by the Court and the Judicial Conference of  
23   the United States.

24

25   Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
                  David A. Perez, CSR, RPR

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